

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DWIGHT D. DAVIDSON, JR.,
Plaintiff,

-against-

NYC DEPARTMENT OF SOCIAL SERVICES,
Defendant.

08-CV-5261(ARR)

NOT FOR ELECTRONIC
OR PRINT
PUBLICATION

OPINION AND ORDER

ROSS, United States District Judge:

Pro se plaintiff, Dwight D. Davidson, Jr., brought this action alleging that he suffered employment discrimination in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), the Age Discrimination in Employment Act of 1967 ("ADEA"), and the Americans with Disabilities Act of 1990 ("ADA"). See Am. Compl. at 1. On June 17, 2009, this court granted defendant New York City Department of Social Services' Federal Rule of Civil Procedure 12(b)(6) motion to dismiss plaintiff's ADEA claim in its entirety with prejudice. The court also dismissed plaintiff's Title VII and ADA claims pre-dating June 2, 2007 with prejudice. In light of plaintiff's *pro se* status, however, the court permitted plaintiff 10 days from that Opinion and Order to file a third amended complaint limited to potential Title VII and/or ADA claims post-dating June 2, 2007. Plaintiff has failed to timely file a third amended complaint. Therefore, any Title VII and/or ADA claims post-dating June 2, 2007 are dismissed with prejudice. The Clerk of the Court is Ordered to enter judgment accordingly.

SO ORDERED.

/s/
Allyne R. Ross
United States District Judge

Dated: July 13, 2009
Brooklyn, New York

SERVICE LIST:

Pro se Plaintiff

Dwight D. Davidson, Jr.
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CC: Magistrate Judge Lois Bloom